IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

WRIT PETITION NO. 214 OF 2005

Vijaykumar Vasant Gaikwad ... Petitioner

V/s.

Palus Shikshan Prasarak Mandal & Ors. ... Respondents

Mr. B.R. Bandal for Mr. U.P. Warunjikar for the Petitioner

Mr. Sanjay Prabhu for Mr. N.V. Bandiwadekar for Respondent Nos. 1 and 2

Mr. R.D. Rane, Additional Government Pleader, for Respondent No. 3.

CORAM: DALVEER BHANDARI, C.J., &
DR. D.Y. CHANDRACHUD, J.
DATE: APRIL 19, 2005.

P.C.:

1. According to the petitioner, he has not been paid his salary from 1st April, 2001 till 31st March, 2005. This fact is not disputed by the learned counsel appearing for the respondents.

2. The learned counsel appearing for respondent Nos. 1 and 2 submits that out of the outstanding amount,

the petitioner has already been paid Rs.1,00,000/-. The learned counsel prays for three months' time to pay the balance amount.

3. We direct the Deputy Director of Education to verify the entire calculation of the amount due and payable by respondent Nos. 1 and 2 to the petitioner within two weeks from today. We further direct respondent Nos. 1 and 2 to pay 50% of the outstanding amount to the petitioner on or before 31st May, 2005, and the remaining amount on or before 15th July, 2005. This amount would be in addition to his regular salary to be paid to him on a month-to-month basis.

4. The management is directed to supply all details of calculations to the Deputy Director of Education within one week from today.

5. In case of non-compliance of this order, the petitioner would be at liberty to approach this Court.

6. In view of the submissions made by the learned counsel for respondent Nos. 1 and 2 on instructions, nothing further survives in this petition. This writ petition is accordingly disposed of.

7. The appeal pending before the School Tribunal shall be disposed of as expeditiously as possible, and in any event, within four months from the date of receipt of the amount.

CHIEF JUSTICE

DR.D.Y.CHANDRACHUD, J.